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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/323,650	06/01/1999	DONALD L. CHUBB	LEW-16.682-1	9480

7590 12/05/2003

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CLEVELAND, OH 44135

EXAMINER

DEJESUS, LYDIA M

ART UNIT	PAPER NUMBER
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2859

DATE MAILED: 12/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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09323680

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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18

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Commissioner for Patents

See attachment regarding the decision of the Board of Appeals and Interferences for Appeal No. 2003-0730.

### **DETAILED ACTION**

1. The period for seeking court review of the decision by the Board of Patent Appeals and Interferences rendered August 29, 2003 has expired and no further action has been taken by appellant. The proceedings as to the rejected claims are considered terminated; see 37 CFR 1.197(c).

As a result of the decision by the Board of Patent Appeals and Interferences to affirm the rejections to claims 1 and 10 through 17, these claims have been cancelled.

The application will be passed to issue provided the following formal matters are promptly corrected: Claims 2-9 are incomplete because the claims on which they depend from have been cancelled by the examiner in accordance with M.P.E.P. § 1214.06.

Prosecution is otherwise closed.

Applicant is given a ONE MONTH TIME LIMIT from the date of this letter in which to present claims 2-9 in independent form. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED. Failure to comply with this deadline will result in cancellation of claims 2-9 and this application will be abandoned.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lydia M. De Jesús whose telephone number is (703) 306-5982. The examiner can normally be reached on 7:30 to 4:00 p.m., Monday through Friday.

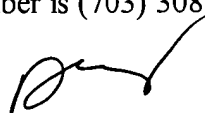
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (703) 308-3875. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



Diego F.F. Gutierrez  
Supervisory Patent Examiner  
Technology Center 2800

LDJ  
December 3, 2003